

18 U.S. Code § 2381 - Treason

Financial fraud / Financial Sabotage:
MALFEASANCE, NONFEASANCE:

FEDERAL JUDICIARY MISCONDUCT

1. Jurisdiction. This court meets court jurisdiction in accordance with U.S.C. § 1331 for the following reasons. The Claims arise against members of Palm Beach County Florida involved with the Witness Protection Program offered by the United States Federal Bureau of Investigation in South Florida other defendants involved in claims associated with this claim and mentioned in the Request for Legal Aid accompanying this Complaint and which includes multiple Agencies of Federal and local Government in the United States and in Europe. Plaintiff is a dual national Citizen as well and resides outside of the United States from constant abuse from members of the caste system operating in government. Plaintiff is a involves a government agency being the Department of Justice involving Law enforcement and Judiciary misconduct under their responsibility. The complaint believed to be part of this complaint are The Trump Family with provable ties to Plaintiff John Pate and his Biological family in the Colombo Crime Family.

[PLEADING TITLE] - 2

[SOUTHERN FLORIDA DISTRICT COURT]

[MIAMI DADE]

Case No.: [NUMBER]

Plaintiff,

[PLEADING TITLE]

THE CIVIL RIGHTS ACT U.S.CODE42 SEC 1983

18 U.S. CODE § 1831 - ECONOMIC
ESPIONAGE,

18 U.S.C. § 241 Conspiracy Against Rights,

18 U.S. Code § 1589 - Forced labor; slavery;

18 U.S. Code § 1201 - Intellectual Property Rights; Taking;

18 U.S. Code § 1031 - Major fraud against the
United States;

18 U.S. Code § 371 - Conspiracy to commit
offense or to defraud United States;

18 U.S. Code § 2340 Intentional Infliction Of
Severe Emotional distress;

1 Plaintiff also lives in Berkeley California and other interlinked court actions that
2 were abandoned which need to be appealed in the state of Florida.
3 2 VENUE. Plaintiff believes this is the proper venue due to it being the location
4 where many of the Organized Crime figures and Government agents live whom are
5 behind these horrible acts.
6 3. INTRADITION ASSIGNMENT. Plaintiff believes this is a proper location
7 due to the proximity of respondents and believes Palm Beach County where many
8 of these people live is too dangerous for him being homeless and sleeping on the
9 streets. It is in the state of Florida which is very hard for plaintiff to move to with
10 expensive flights and difficulty with the trains from being handicapped physically.

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12
13
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15
16
17
18 Paragraph 6
19
20
21 Plaintiff will be forced to represent himself Pro Se due to having no
22 money and a repeatedly ineffective Bar association and system.
23 Paragraph 7
24

25 Plaintiff's first interactions with members of the department of Justice was around
26 the age of 5 when plaintiff's grandfathers friends Ronald Reagan and George Bush
27 senior would visit my grandfather at his events venue and catering hall in New York
28 [PLEADING TITLE] - 3

U. 5

John
3126
Berke

Case:

CR **TANT:**

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check server Not Found
Organized Crime Drug Enforcement
~~Office of Professional~~
Liberty

2022 was attacked in Berkeley Public Library while researching ~~how to get~~ ~~Dissemination~~ ~~and~~ ~~Attacked~~ ~~Attacked~~ case with Pete Development, (city dismissed case) by library worker (city dismissed case)

by library was
was illegally denied physical Disability Pte
by ~~state~~ ~~Robert Pate~~ ~~Robert Pate~~ due to Robert Pate
+ John R Pate connections with the Witness Protect
FBI they sell drugs for in Miami + New York at
lawyer
John Pate

Victim of embezzlement from Jones +
Theresa Devanza Jeanne Martinico +
Maurine Pate, where cash from
My Inheritance was used for a home
purchase ~~the~~ for Maurine Pate.

2008 was a difficult financial year used on
me again to keep me ~~the~~ Poor + try
to force me to do crime for the Colombo
crime family (American Indian Game)
Robert A. Pate John R. Pate Joe Cavelli
Joe Tranchesi ~~the~~ Trishka Devufo Cavello

2020 Facebook was locked out for 120 Season
Tried to request a new pass word 20 things
also tried opening 5 different accounts
all accounts were closed immediately with different info
I have not been able to contact anyone
I know for help

2010 FBI keeps shutting down Hawk Biometric Stock Fraud case because their informants Robert A. Bates & John R. Pate are involved in the case. Reported incidents to FBI Gov Reports FBI Rpt to Congress

Gov Reports
FBI By telephone
Tmly LA & Adm
Service in LA

April 29th hearing Santa Cruz
Berkeley Police Misconduct Hearing 4 counts
Tequesta False Arrest 11

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice Order on Motion for Leave to Proceed in forma pauperis
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Please DO NOT RESPOND to this e-mail because the mail box is unattended.
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U.S. District Court
Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 4/2/2024 2:29 PM EDT and filed on 4/2/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 5

5(No document attached)

Docket Text:
PAPERLESS ORDER denying without prejudice
[3] Motion for Leave to Proceed in forma pauperis for the Plaintiff to fully complete the form for in forma pauperis status and to answer each question. The Plaintiff's amended motion is due by April 19, 2024. In the event the Plaintiff does not comply with this Order, the Court may dismiss the Complaint without prejudice for lack of prosecution and/or failure to pay the requisite filing fee. Signed by Judge Robin L. Rosenberg
(bkd)

3x

2017 Report Email invasion to ~~2000~~ + Paris 14th + Consulate +
2018 Barcelona Multiple attacks after testify against Hawk Shack
~~2019~~ Reported to Guardia de Urbane + Mosses de Segura

~~2019~~ Marseille police about harassment from a

"Family" Member

2020 Marseille police reported ~~attacked~~ ~~assault~~ assault
by men Filming me during Fight + Telling me to go home to
my sexually abused sister

2021 told by West Alim Breach Police Officer I
had to return to USA to file charges

2021 Returned to USA to file charges + ~~would not~~
Police in Berkeley California would not ~~contact~~ ~~contact~~ police

Investigate Incidents would not contact French Police
+ refused to let me speak to Superior Officer

2022 attacked in Paris Jihadist attack on Feb 22nd
Blvd San Michele @ night in front of

Halal Shop by patrons ~~in~~ Halal shop

2022 ~~Be~~ My one drive was broken into and
two of my products in bringing to market

had all Intellectual property removed from it

1) Noise making tire for electronic vehicles

2) UVC Sterilization unit for mounting on doors

Above push plates + Door Handles

2022 My wallet was stolen while I slept in Milano
April

2022 My Backpack was Stolen with my laptop
Bank Statements, Birth Certificate, Copy of my ID

My Paper Records from The United States
Patent + trade office. ~~have~~ Records of
Police reports to France

2022 Judge Te of Northern California dictated Courts
illegally dismissed case

+ Navy file pate
Their initial Motion
which involved members

Consulate will not let me
Re-enter USA
For & want
For x0 referrer

During withholding
my passport
multiple times
which is illegal
Excommunication
Hostage situation

U.S. District Court - Southern District of Florida

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-80329-RLR #2
2 pages
03/19/2024

IMPORTANT: REDACTION REQUIREMENTS AND PRIVACY POLICY

Note: This is NOT a request for information.

- Do NOT include personal identifiers in documents filed with the Court, unless specifically permitted by the rules or Court Order. If you MUST include personal identifiers, ONLY include the limited information noted below:
- Taxpayer ID number: last four digits only
 - Social security number: last four digits only
 - Financial Account Numbers: last four digits only
 - Date of Birth: year only
 - Minor's name: initials only
 - Home Address: city and state only (for criminal cases only).

Attorneys and parties are responsible for redacting (removing) personal identifiers from filings. The Clerk's Office does not check filings for personal information. Any personal information included in filings will be accessible to the public over the internet via PACER.

For additional information, refer to Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1. Also see the CM/ECF Administrative Procedures located on the Court's website www.fisd.uscourts.gov.

IMPORTANT: REQUIREMENT TO MAINTAIN CURRENT MAILING ADDRESS AND CONTACT INFORMATION

Pursuant to Administrative Order 2005-38, parties appearing pro se and counsel appearing pro hac vice must file, in each pending case, a notice of change of mailing address or contact information whenever such a change occurs. If court notices sent via the U.S. mail until a current mailing address is provided.

IMPORTANT: ADDITIONAL TIME TO RESPOND FOR NON-ELECTRONIC SERVICE

Additional days to respond may be available to parties serviced by non-electronic means. See Fed. R. Civ. P. 6(d), Fed. R. Crim. P. 45(c) and Local Rule 7.1(c)(1)(A). Parties are advised that the response deadlines automatically calculated in CM/ECF do NOT account for and may NOT be accurate when service is by mail. Parties may NOT rely on response times calculated in CM/ECF, which are only a general guide, and must calculate response deadlines themselves.

See reverse side

April 29th hearing Santa Cruz

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U.S. District Court
Southern District of Florida
Notice of Electronic Filing
The following transaction was entered on 4/17/2024 7:11 AM EDT and filed on 4/16/2024

Case Name: Pate v. Department of Justice
Case Number: 9:24-cv-80329-RLR
Filer:
Document Number: 3

Docket Text:
Letter to the Court from John Pate (cgs)

9:24-cv-80329-RLR Notice has been electronically mailed to:
9:24-cv-80329-RLR Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

U.S. District Court - Southern District of Florida

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-80329-RLR #8 6 pages 04/17/2024

IMPORTANT: REDACTION REQUIREMENTS AND PRIVACY POLICY

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See reverse side

April 29th hearing Santa Cruz
Berkeley Police Misconduct Hearing
Tequesta False Arrest 11 Hearing 4 counts

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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 4/2/2024 2:29 PM EDT and filed on 4/2/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 5

5(No document attached)

Docket Text:

PAPERLESS ORDER denying without prejudice [3] Motion for Leave to Proceed in forma pauperis for the Plaintiff to fully complete the form for in forma pauperis status and to answer each question. The Plaintiff's amended motion is due by April 19, 2024. In the event the Plaintiff does not comply with this Order, the Court may dismiss the Complaint without prejudice for lack of prosecution and/or failure to pay the requisite filing fee. Signed by Judge Robin L. Rosenberg (bkd)

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-80329-RLR #8 6 pages

04/17/2024

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See reverse side

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District of Florida

Pages 03/19/2024

POLICY

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ADDRESS AND CONTACT INFORMATION

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April 29th hearing Santa Cruz

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Southern District of Florida

Notice of Electronic Filing

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Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 0

Docket Text:

Letter to the Court from John Pate

(cgs)

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9:24-cv-80329-RLR Notice has not been delivered electronically to those listed
below and will be provided by other means. For further assistance, please
contact our Help Desk at 1-888-318-2260.;

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

April 29th hearing South Court

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice
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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 3/19/2024 2:57 PM EDT and filed
on 3/19/2024

Case Name: Pate v. Department of Justice
Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 2

2 (No document attached)

Docket Text:
Clerks Notice of Judge Assignment to
Judge Robin L. Rosenberg and Magistrate
Judge Bruce E. Reinhart. <p> Pursuant
to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate
Judge Bruce E. Reinhart is available to handle any or all proceedings in
this case. If agreed, parties should complete and file the Consent form
found on our website. It is not necessary to file a document indicating lack
of consent. <p> Pro se (NON-PRISONER) litigants may receive Notices of Electronic
Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER)
the forms section of our website. (drz)

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6 2024
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
Subject: Activity in Case 9:24-cv-80329-RLR Document # 8 of 4
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document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court
Southern District of Florida
Notice of Electronic Filing
The following transaction was entered on 3/19/2024 2:57 PM EDT
on 3/19/2024

Case Name: Pate v. Department of Justice
Case Number: 9:24-cv-80329-RLR

Filter:
Document Number: 2
2 (No document attached)

Docket Text:
Clerks Notice of Judge Assignment to Judge Bruce E. R
Judge Robin L. Rosenberg and Magistrate Judge Bruce E. R
to 28 USC 636(c), the parties are hereby notified that
Judge Bruce E. Reinhart is available to handle any or all
this case. If agreed, parties should complete and file
of consent. <P>Pro se (NON-PRISONER) litigants may receive
filings (NEFS) via email after filing a Consent by Pro
to Receive Notices of Electronic Filing. The consent form
the forms section of our website. (drz)

FILED BY 
APR 16 2024
ANGELA E NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

Case No. 9:24-cv-80329-RLR
LETTER TO JUDGE
Robin L. Rosenberg, presiding.
Bruce E. Reinhart, referral.

Honorable Judges Rosenberg and Reinhart,
1) I Plaintiff John Pate am currently out of the country. I apologize for having to mail in my response. I had to return to Europe to follow up on my patents I have with the Slovenian patent office. I am now in Iceland dealing with the department of State again trying to get a way back into the United States. I have ongoing issues with this branch of government not issuing me a full passport and have paid for about ten temporary passports in the past ten years. In the year 2022 they held me hostage after a jihadist attack I suffered in Paris France in 2022 which a complaint I filed with the Office of the Inspector General and the Department for State as well as the Department of Justice on October 24th 2022, have been completely ignored by the Federal government.

2) I filed a court action in Miami's Federal court on March 19th 2024 against the D.O.J. who had the same request for legal aid you received mentioning over and over again crimes being committed on me by members of the Colombo Crime Family and other Caste system Indies origin and Eurasian groups Stealing inventions and harassment and committing occult crimes on me including gang stalking, harassment, theft and other occult based crimes. My biologic family who were using occult tactics on me before I was forced to flee the State of Florida as

1) JOHN PATE (Prose)
2) 3126 Shattuck Ave
3) Berkeley Ca, 94705
4) Telephone: (510) 776 0160
5) Johnp.Electrolips@Tuiano
ta.com

JOHN PATE
Plaintiff.
The United States Department of Justice
Respondents.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-CV-80329-ROSENBERG

JOHN PATE,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

ORDER GRANTING MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS AND DISMISSING COMPLAINT

THIS CAUSE is before the Court upon Plaintiff John Pate's Motion for Leave to Proceed
in forma pauperis at docket entry 7.

I. Order Granting Leave to Proceed *In Forma Pauperis*

A district court may authorize the commencement of a civil action without prepayment of fees or the giving of security if the potential plaintiff has filed an affidavit indicating that he or she is unable to pay such fees or give such security. *See* 28 U.S.C. § 1915(a)(1). A court has "wide discretion" in determining whether to grant or deny a motion pursuant to § 1915(a). *See Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1306 (11th Cir. 2004) (per curiam) (quoting *Flowers v. Turbine Support Div.* 507 F.2d 1040, 1041).

Docket
ORDER
IN FOR
Robin
(cqs)

9:24-c

9:24-c
below

Dismissing/Closing Case

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U.S. District Court
Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 5/24/2024 10:31 AM EDT and filed on 5/24/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

WARNING: CASE CLOSED on 05/24/2024

Document Number: 9

Docket Text:

ORDER GRANTING MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT Closing Case. Signed by Judge
Robin L. Rosenberg on 5/24/2024. <I>See attached document for full details.</I>
(cqs)

9:24-cv-80329-RLR Notice has been electronically mailed to:

9:24-cv-80329-RLR Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-00329-RLR Document: 8 Entered on FLSD Docket 04/11/2024 Page 3
Innovations that are not making any money for Americans not taxable income or trade tax.
Besides the untaxed drug and other illegal monies this group in the mafia and government he
been profiting from and not reporting.
6) I should be reintroduced to the USA soon although it is very dangerous there for me,
especially south Florida where tons of these Witness Protection Program Drug Dealers are
located. None of my electronics work correctly and the pleading numbers will not come out
correctly either. It is not easy when all my Informa pourports electronics are hacked.

Case No. 9:24-cv-80329-RLR
LETTER TO JUDGE
Robin L. Rosenberg, presiding, Bruce E. Reinhardt, referee

Dated: April 10, 2024

JOHN PATE (PRO SE)
3126 SHATTUCK AVE
BERKELEY CALIFORNIA
94705
JohnP.Electronics@TunaNota.Com
(510)776-0160

By: 

5) Some of the technologies being stolen from me for instance are piezoelectric gels and
liquids along with piezoelectric circuitry (liquid circuitry) which depend heavily on Kurchov
law, Coulombs law, and Lenzs laws and greatly reduce the use of heavy chemicals and
sourcing of toxic and harmful elements too provide the proper field effects for operation of
electrical loads. Its a circuitry system where most parts are connected directly to the energy
source (energy source= piezoelectric materials) This entire industry has been stolen and kept
from Americans along with tons of other industry redefining and reshaping that this CED
recipient thought up and created. Plus over 200 other inventions, improvements and

4) I submit with this letter the fully filled out In Forma Pourports and do apologize for the
sloppy paperwork. I am slightly dislexic and I only have only a 7th grade education from
terrible actions by my biological family before during and since the Colombo war (which they
started) in 1991. I am what most would consider a genius but have never been allowed to atte
school by members of the caste system in my biological family and the United States
Government.

my home in Tequesta Florida.
my biological father retained "for me" tied getting me 2 yeears in drug farm for drinking in
Mar-A-Lago club on Palm Beach Island. So I was arrested and put in gun club where a law,
sexually obsessed biological father Robert A Pate of the Colombo Crime family and
and a false arrest because I would not commit crimes for the Colombo Crime Family and my
societies. My case against the Tequesta Florida Police for colluding with the Colombo family
Indies and European descendants to avoid genocide charges on Americans and other free
and members of the Colombo Crime Family whom claim to be European but are all
Pate vs. Pate 2:24-cv-00718-RLR

Court where I pointed out 5 counts of Purgery by defendants of
appeal an illegal verdict of a court action by a Judge Tse in the Northern California Federal
Belgium by the defendants refusing to issue me a travel pass back into the United States to
3) With my last court case being abandoned from time due to being held hostage in Bruss

I have had interactions with no social and business levels.
Hills and New York for committing crime on me, all of which know me personally and who
I've also mentioned some of the other "elitists" I know personally from Paolo Alto, Beverly
society, Scientists and Lions) all answering to foreign "royalties" in Europe and globally
protected by the FBI's witness protection program and their foreign occult bosses (Masonic
trying too have me commit crimes with the Colombo Crime Family and whom are currently
Document # 8 Entered on FLSD Docket 04/11/2024 Page 2
Case: 9:24-cv-00329-RLR

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-CV-80329-ROSENBERG

JOHN PATE,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

**ORDER GRANTING MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS AND DISMISSING COMPLAINT**

THIS CAUSE is before the Court upon Plaintiff John Pate's Motion for Leave to Proceed *in forma pauperis* at docket entry 7.

I. Order Granting Leave to Proceed *In Forma Pauperis*

A district court may authorize the commencement of a civil action without prepayment of fees or the giving of security if the potential plaintiff has filed an affidavit indicating that he or she is unable to pay such fees or give such security. See 28 U.S.C. § 1915(a)(1). A court has "wide discretion" in determining whether to grant or deny a motion pursuant to § 1915(a). See *Martinez v. Kristi Kleenex, Inc.*, 364 F.3d 1305, 1306 (11th Cir. 2004) (per curiam) (quoting *Flowers v. Turbine Support Div.*, 507 F.2d 1242, 1244 (5th Cir. 1975)). The statute "is designed to ensure that indigent litigants have meaningful access to the federal courts." *Neitzke v. Williams*, 490 U.S. 319, 324 (1989). As the Fifth Circuit explained, "Under Subsection (a), the commencement or filing of the suit depends solely on whether the affiant is economically eligible. The only determination to be made by the court under § 1915(a), therefore, is whether the statements in the affidavit satisfy the requirements of poverty." *Watson v. Ault*, 525 F.2d 886, 891 (5th Cir. 1976).

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice Order
Dismissing/Closing Case
This is an automatic e-mail message generated by the CM/ECF system.
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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 5/24/2024 10:31 AM EDT and filed
on 5/24/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

WARNING: CASE CLOSED on 05/24/2024

Document Number: 9

Docket Text:
ORDER GRANTING MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT Closing Case. Signed by Judge
Robin L. Rosenberg on 5/24/2024. <I>See attached document for full details.</I>
9:24-cv-80329-RLR Notice has been electronically mailed to:

9:24-cv-80329-RLR Notice has not been delivered electronically to those listed
below and will be provided by other means. For further assistance, please
contact our Help Desk at 1-888-318-2260.:
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Subject: Activity in Case 9:24-cv-80327-AMC Pate v. Department of State Order Dismissing Case as Frivolous
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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 3/22/2024 9:11 AM EDT and filed on 3/22/2024

Case Name: Pate v. Department of State

Case Number: 9:24-cv-80327-AMC

Filer:

WARNING: CASE CLOSED on 03/22/2024

Document Number: 5

Docket Text:
ORDER DISMISSING COMPLAINT AS FRIVOLOUS.
Closing Case. Signed by Judge Aileen M. Cannon on 3/21/2024. <I>See attached document for full details.</I> (mee)

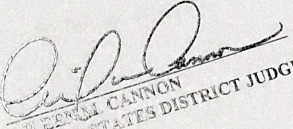
9:24-cv-80327-AMC Notice has been electronically mailed to:

9:24-cv-80327-AMC Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Complaint [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**, without leave to amend in this action.
2. The Clerk **SHALL CLOSE** this case.
3. Plaintiff's Motion to proceed *in forma pauperis* [ECF No. 3] is **DENIED AS MOOT**.
4. The Clerk is directed to **MAIL** a copy of this Order to Plaintiff at the address listed below.

2024.

DONE AND ORDERED by  **ALEKSEI CANNON**
UNITED STATES DISTRICT JUDGE

cc: John Pate
3126 Shattuck Avenue
Berkley, California 94705
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(11th Cir. 2007) (citing to *Jefferson Fourteenth Assocs. V. Wometco de P.R., Inc.*, 695 F.2d 524, 527 (11th Cir. 1983)). There is an exception to the general rule against dismissals without notice when the complaint is patently frivolous or if amendment would be futile. *Tazoe v. Airbus S.A.S.*, 631 F.3d 1321, 1336 (11th Cir. 2011). A complaint is "frivolous" where "it lacks an arguable basis either in law or fact." *Bilal v. Driver*, 251 F.3d 1346, 1349 (11th Cir. 2001). Although *pro se* pleadings are held to a less stringent standard than those drafted by attorneys and thus are liberally construed, liberal construction does not give "a court license to serve as de facto counsel for a party, or to rewrite an otherwise deficient pleading in order to sustain an action." *Campbell v. Air Jamaica Ltd.*, 760 F.3d 1165, 1168-69 (11th Cir. 2014).

DISCUSSION

Plaintiff's Complaint, which consists of sixteen pages of scattershot excerpts from provisions of law and allegations that terrorist attacks across Europe were covered up by the U.S. government, warrants dismissal as patently frivolous. Plaintiff sues Defendant Department of State for allegedly working in concert with the "Trump Family," the "Colombo Crime Family," the "Jewish Mafia," and "Los Angeles Socialites" to destroy Plaintiff's business and cover up the aforementioned terrorist attacks [ECF No. 1]. Plaintiff requests compensatory damages of \$50 billion for the destruction of his business and having "never had one day on this earth that was worth living and always surrounded by Jews and other Indians" [ECF No. 1 pp. 14-15]. On its face, Plaintiff's Complaint lacks any arguable basis in law or fact and therefore warrants dismissal under the Court's inherent authority to dismiss a complaint *sua sponte* if the allegations are frivolous.

Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Plaintiff's Complaint [ECF No. 1] is DISMISSED.

without leave to amend in this action.

2. The Clerk SHALL CLOSE this case.

3. Plaintiff's Motion to proceed *in forma pauperis* [ECF No. 2] is DENIED.

4. The Clerk is directed to MAIL a copy of this Order to Plaintiff.

below.

2024


AILEEN
UNITED STATES

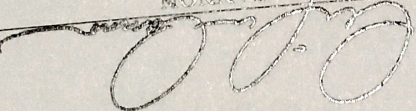
cc: John Pate
3126 Shattuck Avenue
Berkeley, California 94705
PRO SE

9:24
below
contact
John
3126
Berkeley

Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Plaintiff's Complaint [ECF No. 1] is DISMISSED WITHOUT PREJUDICE, without leave to amend in this action.
2. The Clerk SHALL CLOSE this case.
3. Plaintiff's Motion to proceed *in forma pauperis* [ECF No. 3] is DENIED AS MOOT.
4. The Clerk is directed to MAIL a copy of this Order to Plaintiff at the address listed below.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 21st day of March 2024.


ALBERT CANNON
UNITED STATES DISTRICT JUDGE

cc: John Pate
3126 Shattuck Avenue
Berkeley, California 94705
PRO SE

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 24-80327-CIV-CANNON

JOHN PATE,

Plaintiffs,

v.

DEPARTMENT OF STATE,

Defendant.

ORDER DISMISSING COMPLAINT AS FRIVOLOUS

THIS CAUSE comes before the Court for a sponte review of Plaintiff's Complaint

and the accompanying Motion to Dismiss. For the

reasons stated in the accompanying Motion, the Court finds that the Complaint is frivolous and is hereby dismissed without

RDs

TO CH

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 24-80327-CIV-CANNON

JOHN PATE,

Plaintiffs,

v.

DEPARTMENT OF STATE,

Defendant.

ORDER DISMISSING COMPLAINT AS FRIVOLOUS

THIS CAUSE comes before the Court upon a sua sponte review of Plaintiff's Complaint [ECF No. 1], and the accompanying Motion to proceed *in forma pauperis* [ECF No. 3]. For the reasons below, the Complaint is **DISMISSED WITHOUT PREJUDICE BUT WITHOUT LEAVE TO AMEND**, and the Clerk is **DIRECTED TO CLOSE** this case.

LEGAL STANDARDS

A district court possesses "the power to control and direct the cases on its docket," including "the inherent power to dismiss a case." *Burden v. Yates*, 644 F.2d 503, 505 (5th Cir. Unit B 1981).¹ The Eleventh Circuit has prohibited the sua sponte dismissal of a case where "1) the defendant had not filed an answer and the plaintiff still had a right to amend his complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure; 2) the plaintiff brought his claim in good faith; and 3) the district court failed to provide the plaintiff with notice of its intent to dismiss or an opportunity to respond." *Am. United Life Ins. Co. v. Martinez*, 480 F.3d 1043, 1057

¹ Decisions rendered by a Unit B panel of the former Fifth Circuit are circuit precedent in the Eleventh Circuit. *Stein v. Reynolds Sec., Inc.*, 667 F.2d 33, 34 (11th Cir. 1982).

Key to "Stein v. Reynolds" ECF No. 1043, 1057